IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

FRIDAY, THE NINETEENTH DAY OF NOVEMBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE A.GOPAL REDDY

WRIT PETITION NO : 21174 of 2004

Between:

Mendragutti Rama Rao, S/o.Late Samson,
R/o.Seethanagaram, Thadepalli Mandal, Guntur District, A.P.

..... PETITIONER

AND

1 The District Collector, Guntur, Guntur District, A.P.
2 The Mandal Revenue officer, Tadepalli Mandal, Tadepalli, Guntur District

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue an appropriate writ or order or direction under Article 226 of the Constitution of India, particularly one in the nature of writ of Mandamus, directing the first respondent herein to cause an enquiry on the representation of Girijan Samkshemasangham (A.P), Guntur District, submitted in respect of an extent of land of Ac.1-35 cents in survey No.171/5 of seethanagaram village, Tadepalli Mandal, Guntur District, A.P. which was assigned to the petitioner herein on 6-6-1980 and take appropriate action after calling for the records.

Counsel for the Petitioner:MR.PRATTIPATI VENKATESWARLU

Counsel for the Respondents: GP FOR REVENUE

The Court, at the stage of admission, made the following :

ORDER

Admittedly, in the entire Sy.No.171/5, out of the lands measuring 390 Acres, the petitioner was assigned only an extent of Ac.1-35 cents in the year 1980. In the year 1984, in the same survey number some house site pattas were granted in favour of landless poor persons by the Tahsildar, Mangalagiri by his proceedings in ROC.No.1116/84-E, dated 18.6.1984. When some persons came to the land in question on 9.3.2003 claiming to be the assignees of the land in question and when resisted them, a criminal case has been registered against the family members of the petitioner. It is the case of the petitioner that the revenue records clearly establishes his possession and enjoyment over the land in question. In view of same, the petitioner said to have submitted a representation through Girijana Samkshema Seva Sangam, Guntur to the second respondent on 12.7.2004. This writ petition is filed complaining in action on the part of the respondents in conducting enquiry in the matter as per the said representation.

If the petitioner's land has not been identified and demarcated out of the total extent of the land, the proper remedy for the petitioner is to approach the revenue officials for identification of the land assigned in his favour. In view of the same, no relief can be granted to the petitioner in the present writ petition.

The writ petition is accordingly dismissed granting liberty to the petitioner to approach the respondents with proper representation. No costs.

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A. GOPAL REDDY. J.

19th November, 2004

tsr.

To

1 The District Collector, Guntur, Guntur District, A.P.
2 The Mandal Revenue officer, Tadepalli Mandal, Tadepalli, Guntur District

3. Two C.C.s to Government Pleader for Revenue, High Court Buildings, Hyderabad.(OUT)

4 Two C.D. copies.